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**OFFICE OF PETITIONS**

In re Patent No. 6,946,007	:	
Issue Date: September 20, 2005	:	
Application No. 10/662,040	:	DECISION ON PETITION
Filed: September 12, 2003	:	
Attorney Docket No. 026471-4005	:	

This is a decision on the "Request For Certificate Of Correction Under under Rule 323", filed October 24, 2005.

The petition is **GRANTED**.

An application may issue in the name of an assignee rather than the applicant if requested prior to issuance of a patent.<sup>1</sup> However, in the event the request is not made prior to issuance, a Certificate of Correction under 37 CFR 1.323 may be requested. A request for a Certificate of Correction under 37 CFR 1.323 to correct the assignee's name will not be granted unless a petition under 37 CFR 1.183 is granted. Such petition under 37 CFR 1.183 should include:

- (A) the processing fee required by 37 CFR 1.17(i);

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<sup>1</sup> See 37 CFR 3.81.

(B) a request for issuance of the application in the name of the assignee, or a request that a patent be corrected to state the name of the assignee;

(C) a statement that the assignment was submitted for recordation as set forth in 37 CFR 3.11 before issuance of the patent; and

(D) a request for a certificate of correction under 37 CFR 1.323 accompanied by the fee set forth in 37 CFR 1.20(a).<sup>2</sup>

The \$130 processing fee set forth in 37 CFR 1.17(i) has been charged to Deposit Account No. 50-3367, as authorized.

The file is being forwarded to the Certificate of Corrections Branch for issuance of the requested Certificate of Correction.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo  
Petitions Attorney  
Office of Petitions

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<sup>2</sup> MPEP 307.